

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DEVON ARCHER,

Defendant.

USDC-SDNY
DOCUMENT
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DATE FILED: 11/15/18

No. 16-CR-371-6 (RA)


ORDER

RONNIE ABRAMS, United States District Judge:

As discussed at the conference on October 23, 2018, and addressed in an *ex parte* letter submitted by the government on October 24, 2018 and filed under seal, before trial, the government concluded that it was not required to produce certain material under either *Brady* or *Giglio*, and the Court agreed. After reviewing the material with a more fulsome understanding of the facts in this case now having sat through trial, the Court remains of the view that the government was not required to produce it. While the material mentions certain individuals and entities relevant to the matter at hand, the conduct described therein is wholly unrelated. To the extent there is additional impeachment information in the material, it was not required to be produced, as there already existed substantial bases for the defendants to impeach those individuals at trial who are either government witnesses or hearsay declarants. See *United States v. Delance*, 694 F. App'x 829, 832-33 (2d Cir. 2017).

SO ORDERED.

Dated: November 15, 2018
New York, New York



Ronnie Abrams
United States District Judge